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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/802,586
	Filing Date	3/17/04
	First Named Inventor	Munter et al.
	Art Unit	not yet assigned
	Examiner Name	not yet assigned
Total Number of Pages in This Submission	Attorney Docket Number	111027-136084

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Schwabe, Williamson & Wyatt, P.C.
Signature	
Date	August 20, 2004

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Signature		Date	August 20, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Munter et al.

Application No.: 10/802,586

Filed: 3/17/04

For: POWER AND/OR ENERGY
OPTIMIZED
COMPILE/EXECUTION



Examiner: not yet known

Art Group: not yet known

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

Date of Deposit: August 20, 2004

Name of Person Mailing: Christine Hurdle

Signature: *Christine Hurdle* Date August 20, 2004

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.97(g), the submission of this Information Disclosure Statement (IDS) is not to be construed as a representation that a search has been made, and, pursuant to 37 C.F.R. § 1.97(h), the submission of this IDS is not to be construed as an admission that the information cited in this IDS is material to patentability.

This IDS is being submitted under one or more of the following sections of 37

C.F.R. § 1.97 (as indicated by an "X" to the left of the appropriate paragraph(s)):

 X 37 C.F.R. § 1.97(b). Filed:

- (1) Within three months of a National Application other than a CPA;
- (2) Within three months of entry into National Stage;
- (3) Before mailing of a first Office Action on the merits; or
- (4) Before mailing of a first Office Action after filing an RCE.

 37 C.F.R. § 1.97(c). Filed before the mailing of a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution.
And, ONE of the following:

(1) One statement from 37 C.F.R. § 1.97(e);

 (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

 (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

OR

(2) The fee set forth in 37 C.F.R. § 1.17(p).

 A check in the amount of \$180.00 is enclosed.

 37 C.F.R. § 1.97(d). Filed on or before payment of the issue fee.
And, BOTH of the following:

(1) one statement from 37 C.F.R. § 1.97(e);

 (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

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(2) The fee set forth in 37 C.F.R. § 1.17(p).

 A check in the amount of \$180.00 is enclosed.

Accompanying this IDS is a list of references and a copy of each reference listed therein, EXCEPT references pursuant to one or more of the following sections of 37 C.F.R. § 1.98 (as indicated by an "X" to the left of the appropriate paragraph(s)):

_____ 37 C.F.R. § 1.98(c) as being cumulative (marked with an "*" on the Form PTO-1449).

_____ 37 C.F.R. § 1.98(d) as being previously submitted in parent application
_____/_____, to which the present application claims priority under 35
U.S.C. § 120.


 X Those U.S. Patent references waived from the requirement of 37 C.F.R.
§ 1.98 (a)(2)(i) .

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: August 20 2004

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/802,586
Filing Date	3/17/04
First Named Inventor	Munter et al.
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	111027-136084

Sheet	1	of	1
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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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